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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,193	12/01/2003	Mariano Concilio	03MAR43053800	9837
27975 7590 09/09/2008 ALLEN, DYER, DOPPELT, MILBRATH & GILCHRIST P.A. 1401 CITRUS CENTER 255 SOUTH ORANGE AVENUE P.O. BOX 3791 ORLANDO, FL 32802-3791			EXAMINER ALMATRAHI, FARIS S	
			ART UNIT 3627	PAPER NUMBER
			NOTIFICATION DATE 09/09/2008	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

creganoa@addmg.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/725,193	<b>Applicant(s)</b> CONCILIO ET AL.	
	<b>Examiner</b> FARIS ALMATRAHI	<b>Art Unit</b> 3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 May 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 16-43 is/are pending in the application.
- 4a) Of the above claim(s) 42 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 16-41 and 43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Status of the Application*

1. This action is in reply to applicant amendment filed May 30, 2008.
2. Claims 16-19, 24-27 and 32-35 have been amended.
3. Claims 1-15 have been cancelled.
4. Claims 16-43 are pending in this application.
5. During a telephone conversation with Michael Taylor on 12/12/2007 a provisional election was made without traverse to prosecute the invention of **Species B**, claim 43 disclosed in the December 28, 2007 Non-Final Office Action. Affirmation was required in responding to Non-Final Office Action. Election requirement was not argued and is therefore deemed Final. Claim 42 is withdrawn from further consideration in this application.

### *Claim Rejections - 35 USC § 103*

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. **Claims 16-18, 20-26, 28-34, 36-41 and 43** are rejected under 35 U.S.C 103(a) as being unpatentable over Valencia et al (US Pat No. 5,380,991) in view of Coutts et al. (US Patent No. 6,311,165 B1).

8. Regarding claims 16-18, 24-26 and 32-34, Valencia discloses a system and method for executing an event-driven application resident in a smart-card comprising a fundamental module, the application being separated into a central module and at least one complementary module, the method comprising: managing interaction between the central module and the at least one complementary module by the fundamental module (Abstract, Figure 2); and after at least beginning execution of the central module by the fundamental module by the fundamental module based upon an external event, generating a new event by the fundamental module for managing the at least one complementary module (Figure 2, Column 2 lines 59-62, Column 4 lines 4-26).

9. Valencia does not explicitly recite the event generated being an internal event.

10. However, Coutts discloses a system and method wherein the event generated is an internal event (Column 12 lines 16-34).

11. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teachings of Coutts in the device of Valencia reference to include a system and method wherein the new event generated is an internal event, for the advantage of isolating particular events internally within relevant module.

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12. Regarding claims 20, 28, and 36, Valencia discloses a system and method wherein an interface defined by the fundamental module is provided to the central module and to the at least one complementary module (Figure 2).

13. Regarding claims 21, 29, and 37, Valencia discloses a system and method wherein input data delivered to the central module is also delivered to the at least one complementary module (Figure 2, Column 4 lines 4-26).

14. Regarding claims 22, 30, and 38, Valencia discloses a system and method wherein the fundamental module is associated with an operating system of the smart-card (Figure 2, Column 4 lines 4-26).

15. Regarding claims 23, 31, and 39, Valencia discloses a system and method wherein the fundamental module functions as a terminal interface protocol manager (Figure 2, Column 4 lines 4-26).

16. Regarding claim 40, Valencia discloses a system wherein said smart card comprises first and second memories and wherein the central module resides in said first memory and the at least one complementary module resides in said second memory (Figure 2, Column 4 lines 4-26).

17. Regarding claim 41, Valencia discloses a system wherein said first memory comprises a read only memory and said second memory comprises a programmable memory (Figure 2, Column 4 lines 16-36).

18. Regarding claim 43, Valencia discloses a system wherein the electronic device is configured as a point of sale terminal (Abstract, Figure 4, Column 4 lines 4-26).

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19. **Claims 19, 27, and 35** are rejected under 35 U.S.C 103(a) as being unpatentable over Valencia et al (US Pat No. 5,380,991) in view of Coutts et al. (US Patent No. 6,311,165 B1) further in view of Applicant's Admitted Prior Art (APA), (see application 10/725193, Figures 1-3, paragraphs [0001] – [0019]).

20. Regarding claims 19, 27, and 35, Valencia fails to explicitly disclose a system and method wherein the at least one complementary module is registered and triggered based upon a new internal event.

21. However, APA discloses a system and method wherein each complementary module is registered and triggered to an appropriate new event (Figures 1-3, Paragraph [0011]).

22. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teachings of APA in the device of Valencia reference to include a system and method wherein the at least one complementary module is registered and triggered based upon a new internal event, for the advantage of distributing and tasking particular tasks to designated modules.

### **Response to Arguments**

23. Applicant's arguments with respect to 35 U.S.C. 102 rejections have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faris Almatrahi whose telephone number is (571)270-3326. The examiner can normally be reached on Monday to Friday 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on (571) 272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Faris Almatrahi  
Examiner  
Art Unit 3627

/F. Ryan Zeender/  
Supervisory Patent Examiner, Art Unit 3627